

FEDERAL REGISTER

THE NATIONAL ARCHIVES
OF THE UNITED STATES
1934

VOLUME 12 NUMBER 100

Washington, Wednesday, May 21, 1947

TITLE 5—ADMINISTRATIVE PERSONNEL

Chapter I—Civil Service Commission

PART 22—APPEALS OF PREFERENCE ELIGIBLES UNDER THE VETERANS' PREFERENCE ACT OF 1944

STATUS OF EMPLOYEE DURING PERIOD OF ADVANCE NOTICE

Section 22.2 (c) is amended to read as follows:

§ 22.2 *Notification of proposed actions; charges and opportunity for answer.* * * *

(c) *Status of employee during period of advance notice.* The advance written notice which is required when a proposed adverse action is sought by an employing agency shall be submitted to the employee at least thirty (30) days before the effective date of such proposed action, and during such thirty (30) day period the employee shall continue in an active duty status; but in cases of furlough without pay due to unforeseeable circumstances, such as sudden breakdowns in equipment, acts of God or emergencies requiring immediate curtailment of activities, advance notice shall not be necessary.

In exceptional cases where the circumstances are such that the retention of the employee in an active duty status during the thirty (30) day period may result in damage to Government property, would be otherwise detrimental to the interests of the Government, or would be injurious to the employee, his fellow workers or the general public, and the employee cannot during such period be temporarily assigned to duties in which these conditions would not exist, he shall be placed on annual leave, provided he has sufficient annual leave to his credit to cover the required period, and otherwise, suspended for such period or periods during the thirty (30) days as the circumstances warrant. The reasonableness of such exceptions, including suspensions, will be considered in connection with the entire case in the event that the employee subsequently appeals from the final adverse decision reached by the administrative officer.

(Secs. 11 and 14, 58 Stat. 387; 5 U. S. C., Sup., 860, 863)

[SEAL] UNITED STATES CIVIL SERVICE COMMISSION,
H. B. MITCHELL,
President.

[F. R. Doc. 47-4740; Filed, May 20, 1947; 8:51 a. m.]

PART 29—RETIREMENT

BASIC RECORDS

Section 29.101 (b) (6) is amended to read as follows:

§ 29.101 *Basic records.* * * *

(b) *Individual account.* * * *

(6) All periods of leave without pay in excess of an aggregate of six months in any calendar year.

(Sec. 12 (a), 46 Stat. 476; 5 U. S. C. 724)

[SEAL] UNITED STATES CIVIL SERVICE COMMISSION,
H. B. MITCHELL,
President.

[F. R. Doc. 47-4739; Filed, May 20, 1947; 8:51 a. m.]

PART 33—CLAIMS AND APPEALS OF VETERANS; RECOGNITION OF REPRESENTATIVES

Part 33 as set out below is hereby added to the regulations in this chapter.

Sec.

33.1 Appearance.

33.2 Agents.

33.3 Recognition of service organizations.

33.4 Accredited representatives of service organizations.

33.5 Designation of service organizations as representatives.

33.6 General provisions.

33.7 Effective date.

AUTHORITY: §§ 33.1 to 33.7, inclusive, issued under sec. 11, 58 Stat. 390; 5 U. S. C., Sup., 860.

§ 33.1 *Appearance.* Any veteran who has filed a claim or an appeal with the Commission may appear in any proceeding in connection therewith either per-

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The regulatory material appearing herein is keyed to the Code of Federal Regulations, which is published, under 50 titles, pursuant to section 11 of the Federal Register Act, as amended June 19, 1937.

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1946 SUPPLEMENT

to the

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sonally or by a representative. Such representative may be any person designated by the veteran, such person being hereinafter referred to as agent, or a service organization designated by him and approved by the Commission.

§ 33.2 *Agents.* Any competent person of good moral character and of good repute who is a citizen of the United States, or who has declared his intention to become a citizen of the United States, may be designated as an agent. A person claiming to act as an agent must submit a written statement from the veteran (CSC Form 307)¹ authorizing him to represent the veteran in his claim or appeal.

§ 33.3 *Recognition of service organizations.* Any service organization approved by the Commission may be recognized in the presentation of claims or appeals under the laws administered by the Commission when the proper officers thereof make application for recognition, and as a part of such application agree and certify that neither the organization nor its representatives will charge claimants or appellants any fee or compensation whatsoever for their services.

In requesting recognition, the following information must be supplied:

- Statement outlining the purpose of the organization and need thereof, and manner in which the veteran will be benefited by such recognition.
- Names, titles, and addresses of officers.
- Number of posts or chapters, and States in which located.
- Names, titles, and addresses of full-time paid employees who are qualified to act as accredited representatives.
- Copy of constitution or charter and by-laws of the organization.

¹ Filed with the Division of the Federal Register.

§ 33.4 *Accredited representatives of service organizations.* (a) Recognized service organizations shall file with the Commission, on the prescribed form (CSC Form 306),² the name of any officer whom it desires to be recognized as its accredited representative and the Commission office or offices to which recognition is to be extended in the presentation of claims or appeals. In proposing a candidate for recognition as a representative the organization, through its appropriate officer, shall certify to the following:

(1) That the applicant is a citizen of the United States, of good character and reputation, is qualified by training or experience to assist in the presentation of claims, and is a member or employee of the organization.

(2) That he is not employed in any civil or military department or agency of the United States, and is not a retired member of the Regular Army, Navy, Marine Corps, Coast Guard, or Public Health Service.

(3) Whether the applicant is a veteran, and if so, that he was honorably discharged from active service.

(b) The application (CSC Form 306)¹ may be filed with the central office of the Commission, or with the regional office where the applicant is to serve.

(c) The central office (Veterans Service Section), or Regional Director, as the case may be, will secure sufficient facts by such investigation as may be deemed necessary to justify a determination whether or not the applicant is qualified. If it is determined that the applicant is qualified, notice to that effect will be issued, the original of which shall be sent to the applicant, and a copy of which shall be sent to the organization. Where the approval is made by a regional office, two copies will be sent to the central office of the Commission, one of which will be retained in the files and the other will be sent to the organization. A record of accredited representatives will be retained in the regional offices and in the Veterans Service section of the central office. If the Regional Director's determination is adverse, or the case is one of doubtful aspect, the entire matter will be referred to the Commission's central office, Veterans Service section.

(d) Recognition may be cancelled at the request of the organization. The central office, or Regional Director may cancel or suspend any recognition for cause. When a Regional Director cancels or suspends any recognition, a report of the facts shall be made to the central office. Notice of cancellation or suspension will be supplied in the same manner as a notice of recognition.

(e) Nominations for accredited representatives of National service organizations will be accepted only if approved by the certifying officer, National headquarters, of such organization.

(f) Letters of recognition issued by the central office to National and field officers of recognized organizations will constitute authorization for their recognition in claims or appeals in any regional office within their respective assignments. Letters of recognition issued by a Re-

gional Director will constitute authorization for the accredited representatives to present claims or appeals in any regional office within their respective assignments.

(g) When a representative has been admitted, a card will be prepared in the Veterans Service Section showing his name, address, organization, and date of admission. Copies of this card will be filed in the central office (Veterans Service Section) of the Commission and in the regional office by which he is admitted or in which he is authorized to act.

§ 33.5 *Designation of service organizations as representatives.* (a) Before a service organization may be recognized in an individual claim or appeal there must be filed a designation duly executed by the claimant or appellant, specifically conferring upon the organization the authority to represent him in the presentation of his claim or appeal, and to receive any information in connection therewith. This designation shall be on the form prescribed by the Commission (CSC Form 307),² and shall be presented to the office concerned, to be filed in connection with the claim or appeal. The designation must be signed by the claimant or appellant.

(b) Upon receipt and approval of the designation, the service organization named therein shall be recognized as the sole agency for the presentation of the claim or appeal covered thereby, and no other organization shall be recognized in the presentation of that claim or appeal. The designation made by the claimant may be revoked by him at any time and a subsequent designation made, naming another organization. A subsequently executed designation shall constitute a revocation of any existing designation. A designation may also be revoked by the organization named therein.

§ 33.6 *General provisions.* (a) Nothing in the regulations in this part shall be deemed to permit the unauthorized practice of law in any place or the rendering of any service save the authorized participation in agency proceedings by agents or accredited representatives who have been approved by the Commission.

(b) The regulations in this part shall not apply to adjudications of charges of political activity on the part of officers or employees in the competitive service, or of officers or employees of a State or local government, nor to adjudications of the existence of good cause for the removal of hearing examiners appointed under section 11 of the Administrative Procedure Act.

§ 33.7 *Effective date.* The regulations in this part shall be effective thirty (30) days after publication in the FEDERAL REGISTER.

[SEAL] UNITED STATES CIVIL SERVICE COMMISSION,
H. B. MITCHELL,
President.

[F. R. Doc. 47-4723; Filed, May 20, 1947; 8:58 a. m.]

TITLE 7—AGRICULTURE

Chapter IX—Production and Marketing Administration (Marketing Agreements and Orders)

[Plum Orders 1 and 3]

PART 936—FRESH BARTLETT PEARS, PLUMS, AND ELBERTA PEACHES GROWN IN CALIFORNIA

REGULATION BY GRADES AND SIZES

Correction

In Federal Register Document 47-4399 (Plum Order 1), appearing at page 3060 of the issue for Friday, May 9, 1947, the term "Beauty plum" in the fifteenth line of § 936.302 (b) (3) should read "Beauty plums."

In Federal Register Document 47-4397 (Plum Order 3), appearing at page 3062 of the May 9, 1947, issue, the term "State Inspection Service" in § 936.304 (b) (6) (iii) should read "Federal-State Inspection Service."

Chapter XI—Production and Marketing Administration (War Food Distribution Orders)

[W. F. O. 2, Termination]

PART 1401—DAIRY PRODUCTS

BUTTER

War Food Order No. 2 (11 F. R. 4721) and all war food orders pursuant thereto¹ are hereby terminated effective as of 12:01 a. m., e. s. t., May 16, 1947.

With respect to violations, rights accrued, liabilities incurred, or appeals taken under the aforesaid war food orders, prior to the effective time of the provisions hereof, the provisions of said war food orders, in effect prior to the effective time hereof, shall be deemed to continue in full force and effect for the purpose of sustaining any proper suit, action, or other proceeding with respect to any such violation, right, liability, or appeal.

(E. O. 9280, Dec. 5, 1942, 3 CFR Cum. Supp.; E. O. 9577, June 29, 1945, 3 CFR 1945 Supp.)

Issued this 15th day of May 1947.

[SEAL] CLINTON P. ANDERSON,
Secretary of Agriculture.

[F. R. Doc. 47-4757; Filed, May 20, 1947;
8:56 a. m.]

TITLE 8—ALIENS AND NATIONALITY

Chapter I—Immigration and Naturalization Service, Department of Justice

PART 116—CIVIL AIR NAVIGATION

APPLICATION TO CIVIL AIR NAVIGATION OF LAWS AND REGULATIONS RELATING TO CUSTOMS, PUBLIC HEALTH, ENTRY AND CLEARANCE, AND IMMIGRATION

CROSS REFERENCE: For a correction to the regulation amending § 116.4 (c), see Title 19, Chapter I, Part 6, *infra*.

¹ WFO 2.1 to WFO 2.3, inclusive.

TITLE 10—ARMY: WAR DEPARTMENT

Chapter II—Aircraft

PART 201—USE OF ARMY AIRCRAFT

PASSENGERS IN MILITARY AIRCRAFT

Rescind §§ 201.3 and 201.4 and substitute the following:

§ 201.3 *Passengers in military aircraft.* (a) Commanding officers of Army Air Forces, Naval Air, and Marine Corps Air stations, or higher authority in the chain of command, are authorized to permit personnel of the following categories to ride as passengers in aircraft under their control without reimbursement. ("Passenger" is defined as any individual traveling in an aircraft who is not a member of the assigned crew.)

(1) Military personnel on active duty with the armed forces of the United States while in either a duty or a leave status, and upon proper identification.

(2) Military personnel of the National Guard and Reserve components when on matters of concern to the armed forces, and upon proper identification.

(3) Any person in case of an emergency involving catastrophe or possible loss of life when other means of transportation are not available.

(4) Red Cross personnel when serving with the armed forces of the United States in the field, provided they are in uniform, when such flights are in the performance of Red Cross duties.

(5) Fathers, wives, mothers, or children over the age of ten, of military personnel holding a currently effective aeronautical rating and on flying status, when on flights which will not extend beyond the local flying area; these flights not to exceed more than two flights per year for any one person.

(6) Civilian employees of the armed forces of the United States, of other Government agencies, of Government contractors, and technical advisers to military authorities, when engaged in activities for the armed forces which require such flights.

(b) Air attachés or the chiefs of air missions are authorized to permit personnel of the following categories to ride as passengers in aircraft under their control:

(1) Individuals listed in paragraph (a) of this section.

(2) United States ambassadors and ministers or, in their absence, charge d'affaires, and members of their staffs designated by the ambassador or minister for the conduct of urgent Government business.

(3) Distinguished nationals and members of the armed forces of foreign countries.

(c) Upon approval by the Commanding General, Army Air Forces, the Deputy Chief of Naval Operations (Air), or the commanders of any overseas echelon reporting direct to the War or Navy Departments, personnel of the following categories may be permitted to ride as passengers in aircraft of the respective armed service:

(1) Any individual, without reimbursement, when the flight is on matters of concern to the armed forces,

(2) Persons traveling in the interest of other governmental departments or agencies, with reimbursement from the department or agency concerned.

(3) Nongovernmental passengers with reimbursement, upon certification by the Department of State, War, or Navy that the furnishing of such transportation is necessary to facilitate the transition from war to peace and that such transportation by commercial air is not available or not adequate.

(4) Members of Congress, when the travel is certified as necessary by the chairman of the Congressional Committee involved; with reimbursement, when the travel is in the interest of an agency other than the armed services.

§ 201.4 *Release from claim for injury or death.* (a) Civilians specified in paragraphs (a) (5), (b) (3) and (c) (1) of § 201.3 will be required to sign the release form specified in paragraph (b) of this section, unless otherwise exempted, under the provisions of the regulations in this part. Persons specified in § 201.3 (a) (3) will, when practicable, be required to sign the release form unless otherwise exempted under the provisions of the regulations in this part.

(b) The release required in paragraph (a) of this section will be prepared by typewriter as follows:

RELEASE

(Place)

(Date)

Know all men by these presents: Whereas, I, _____ am about to take a

(Full name)

flight or flights as a passenger in certain Army aircraft on _____; and

(Date or dates)

whereas I am doing so entirely upon my own initiative, risk, and responsibility; now, therefore, in consideration of the permission extended to me by the United States through its officers and agents to take said flight or flights, I do hereby, for myself, my heirs, executors, and administrators, remise, release, and forever discharge the Government of the United States and all of its officers, agents, and employees, acting officially or otherwise, from any and all claims, demands, actions, or causes of action, on account of my death or on account of any injury to me which may occur from any cause during said flight or flights or continuances thereof, as well as all ground and flight operations incident thereto.

(Signature)

(Name of person to be notified in emergency)

(Address of person to be notified in emergency)

(Witness)

(Witness)

[AR 95-90, Apr. 28, 1947] (R. S. 161; 5 U. S. C. 22)

[SEAL]

EDWARD F. WITSELL,
Major General,
The Adjutant General.

[F. R. Doc. 47-4735; Filed, May 20, 1947;
8:50 a. m.]

TITLE 15—COMMERCE

Chapter III—Bureau of Foreign and Domestic Commerce, Department of Commerce

PART 360—ORGANIZATION, FUNCTIONS AND PROCEDURE OF THE OFFICE OF INTERNATIONAL TRADE

ADMINISTRATION OF EXPORT CONTROL

Section 360.5 *Administration of export control* (11 F. R. 177A-312) is amended by adding thereto the following:

The Sugar Control Extension Act of 1947 (Public Law 30, 80th Congress), transferred the administration of the act of July 2, 1940 (54 Stat. 714) as amended and extended, with respect to sugar to the Department of Agriculture. The Secretary of Agriculture, acting pursuant to the Sugar Control Extension Act of 1947, has delegated, in Sugar Export Control Order 1, to the Office of International Trade, authority to regulate the exportation of sugar-containing products containing less than 70% sugar by weight which are subject to the provisions of the Sugar Control Extension Act of 1947.

(Sec. 3 (a) (1), 60 Stat. 238; 5 U. S. C. 1002)

[SEAL] THOMAS C. BLAISDELL, JR.,
Director,
Office of International Trade.

[F. R. Doc. 47-4736; Filed, May 20, 1947;
8:50 a. m.]

TITLE 19—CUSTOMS DUTIES

Chapter I—Bureau of Customs, Department of the Treasury

PART 6—AIR COMMERCE REGULATIONS

APPLICATION TO CIVIL AIR NAVIGATION OF LAWS AND REGULATIONS RELATING TO CUSTOMS, PUBLIC HEALTH, ENTRY AND CLEARANCE, AND IMMIGRATION

Correction

In Federal Register Document 47-4570, appearing on page 3172 of the issue for Thursday, May 15, 1947, the date at the end of the document should read "May 9, 1947."

TITLE 24—HOUSING CREDIT

Chapter VIII—Office of Housing Expediter

[Suspension Order S-34]

PART 807—SUSPENSION ORDERS

JAMISON MOTORS, INC.

Jamison Motors, Inc., a corporation, 4112 Spring Grove Avenue, Cincinnati, Ohio, on or about March 10, 1947, without authorization, began and thereafter until about March 20, 1947, carried on construction of a one-story commercial building for use in repairing and servicing cars and trucks, located at 4112 Spring Grove Avenue, Cincinnati, Ohio, the estimated cost of which construction was in excess of \$1,000. The beginning and carrying on of construction as afore-

said constituted a wilful violation of Veterans' Housing Program Order No. 1. This violation has diverted critical materials to uses not authorized by the Office of the Housing Expediter. In view of the foregoing, it is hereby ordered that:

§ 807.34 *Suspension Order No. S-34.*
(a) Neither Jamison Motors, Inc., a corporation, its successors and assigns, nor any other person shall do any further construction on the one-story commercial building to be used in the repairing and servicing of cars and trucks, located at 4112 Spring Grove Avenue, Cincinnati, Ohio, including the putting up, completing or altering of said structure, unless hereafter specifically authorized in writing by the Office of the Housing Expediter.

(b) Jamison Motors, Inc., shall refer to this order in any application or appeal which it may file with the Office of the Housing Expediter for authorization to carry on construction.

(c) Nothing contained in this order shall be deemed to relieve Jamison Motors, Inc., its successors and assigns, from any restriction, prohibition or provision contained in any other order or regulation of the Office of the Housing Expediter, except insofar as the same may be inconsistent with the provisions hereof.

Issued this 20th day of May 1947.

OFFICE OF THE HOUSING
EXPEDITER,
By JAMES V. SARCONI,
Authorizing Officer.

[F. R. Doc. 47-4806; Filed, May 20, 1947;
11:35 a. m.]

[Suspension Order S-35]

PART 807—SUSPENSION ORDERS

ALBERT WILLE

Albert Wille, 12 S. Wille Street, Mount Prospect, Illinois, is the owner of the premises at 100 Northwest Highway. On December 9, 1946 construction was begun of an addition to the structure on said premises for use as a warehouse at an estimated cost in excess of \$1,000 after application for authorization of such construction had been denied. Albert Wille, in consenting to such construction with knowledge of the denial of such application and of the continued existence of VHP-1, wilfully violated said order. This violation has diverted critical materials to uses not authorized by the Office of the Housing Expediter. In view of the foregoing, it is hereby ordered that:

§ 807.35 *Suspension Order No. S-35.*
(a) Neither Albert Wille, his successors or assigns, nor any other person shall do any further construction on the premises located at 100 Northwest Highway, Mount Prospect, Illinois, including completing, putting up or altering of any structure located thereon, unless specifically authorized in writing by the Office of the Housing Expediter.

(b) For a period of one month from the effective date of this order, no au-

thorization to carry on construction shall be granted Albert Wille.

(c) Albert Wille shall refer to this order in any application or appeal which he may file with the Office of the Housing Expediter for priorities assistance or for authorization to carry on construction.

(d) Nothing contained in this order shall be deemed to relieve Albert Wille, his successor or assigns, from any restriction, prohibition or provision contained in any other order or regulation of the Office of the Housing Expediter, except insofar as the same may be inconsistent with the provisions hereof.

Issued this 20th day of May 1947.

OFFICE OF THE HOUSING
EXPEDITER,
By JAMES V. SARCONI,
Authorizing Officer.

[F. R. Doc. 47-4807; Filed, May 20, 1947;
11:36 a. m.]

[Suspension Order S-36]

PART 807—SUSPENSION ORDERS

ERNEST M. DALAND

Ernest M. Daland, who resides at 85 Homer Street, Newton Centre, Massachusetts, began construction of a house located on Governor Prince Road in Brewster, Barnstable County, Massachusetts, under authorization from the Federal Housing Administration, which authorization was based upon an application filed by Dr. Ernest M. Daland stating that the house was a year-round dwelling house for personal occupancy, to contain 1,496 square feet. The house was not intended for year-round occupancy within the meaning of HPR and the floor area properly calculated was approximately 1,700 square feet. The construction of this house constituted a violation of HPR and diverted critical materials to uses not authorized by the Office of the Housing Expediter. In view of the foregoing, it is hereby ordered that:

§ 807.36 *Suspension Order No. S-36.*
(a) Neither Ernest M. Daland, his successors or assigns, nor any other person shall do any further construction on the premises located on Governor Prince Road, Brewster, Barnstable County, Massachusetts, unless hereafter specifically authorized in writing by the Office of the Housing Expediter.

(b) The provisions of paragraph (a) above shall not apply to work done under specific authorization from the Office of the Housing Expediter issued after this date for the purpose of enabling work to be done to exclude the weather and prevent deterioration.

(c) Ernest M. Daland shall refer to this order in any application or appeal which he may file with the Office of the Housing Expediter or any other federal agency for authorization to carry on construction.

(d) Nothing contained in this order shall be deemed to relieve Ernest M. Daland, his successors or assigns, from any restriction, prohibition or provision contained in any other order or regulation of the Office of the Housing Expediter.

diter, except insofar as the same may be inconsistent with the provisions hereof.

Issued this 20th day of May 1947.

OFFICE OF THE HOUSING
EXPEDITER,
By JAMES V. SARCONI,
Authorizing Officer.

[F. R. Doc. 47-4808; Filed, May 20, 1947;
11:36 a. m.]

TITLE 30—MINERAL RESOURCES

Chapter VI—Solid Fuels Administration for War, Department of the Interior

[SFAW Order 46]

PART 601—ADMINISTRATIVE; GENERAL

PART 602—GENERAL ORDERS AND DIRECTIVES

ORDER DISSOLVING SFAW ADVISORY AND FUNCTIONAL COUNCILS AND COMMITTEES (EXCEPT BITUMINOUS COAL PRODUCERS ADVISORY BOARDS); TERMINATING APPOINTMENTS OF MEMBERS OF SUCH COUNCILS AND COMMITTEES; AND REVOKING SFC RECOMMENDATION NO. 1 AND SFAW ORDERS NOS. 11, 12, 15 AND 30

All powers and functions of the Solid Fuels Administration for War having been terminated, *It is ordered*:

1. That each of the following named SFAW advisory and functional councils, boards and committees be, and it is hereby dissolved, and its functions and the appointments of its members are hereby terminated:

(a) The Solid Fuels Advisory War Council established pursuant to the President's letter of November 5, 1941, to the Secretary of the Interior and Recommendation No. 1, Solid Fuels Coordinator (7 F. R. 2271);

(b) The Lake Dock Coal Advisory Committee established pursuant to SFAW Order No. 11 (9 F. R. 601);

(c) The Tidewater Dock Coal Advisory Committee established pursuant to SFAW Order No. 11 (9 F. R. 601);

(d) The SFAW National Advisory Committee on Local Distribution established pursuant to SFAW Order No. 12 (9 F. R. 2206);

(e) The SFAW National Advisory Coke Committee established pursuant to SFAW Order No. 15 (9 F. R. 5334);

(f) The National Anthracite Distribution Committee continued by SFAW Order No. 30 (10 F. R. 13262);

(g) The several Regional Anthracite Distribution Committees continued by SFAW Order No. 30 (10 F. R. 13262);

(h) The several SFAW Area Advisory Committees on Local Distribution established pursuant to SFAW Order No. 12 (9 F. R. 2206);

(i) The several SFAW Community Committees on Emergency Distribution established pursuant to SFAW Order No. 12 (9 F. R. 2206); and

(j) Any and all other advisory or functional committees and all subcommittees appointed by any of the aforesaid committees.

2. That §§ 601.1 through 601.4, 601.41, 601.51 through 601.54, 601.61, 602.890 and 602.891, Chapter VI, Title 30 of the Code of Federal Regulations (Recommendation No. 1, Solid Fuels Coordinator and

SFAW Orders Nos. 11, 12, 15, and 30) be, and they are hereby revoked.

This order shall become effective immediately.

Issued this 14th day of May 1947.

J. A. KRUG,
Solid Fuels Administrator for War.

[F. R. Doc. 47-4737; Filed, May 20, 1947;
8:50 a. m.]

[Order 47]

PART 601—ADMINISTRATIVE; GENERAL ORDER DISSOLVING SEVERAL SFAW BITUMINOUS COAL PRODUCERS ADVISORY BOARDS

All powers and functions of the Solid Fuels Administration for War having been terminated, *It is ordered*, That:

1. The SFAW Bituminous Coal Producers Advisory Board for each of Districts Nos. 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 22 and 23, established pursuant to § 601.11, Chapter VI, Title 30 of the Code of Federal Regulations (SFAW Order No. 2) be, and it is hereby dissolved and the appointment of each of its members is hereby terminated, effective June 30, 1947.

2. Each of said SFAW Bituminous Coal Producers Advisory Boards shall proceed forthwith to wind up its affairs and transmit to the Solid Fuels Administration for War, Washington 25, D. C. before June 30, 1947, all original records of the Board, such as minutes and records relating to actions taken by the Board with respect to fiscal affairs, production and distribution.

3. Sections 601.11 through 601.14, Chapter VI, Title 30 of the Code of Federal Regulations (SFAW Order No. 2) be, and they are hereby revoked.

This order is effective immediately.

Issued this 14th day of May 1947.

J. A. KRUG,
Solid Fuels Administrator for War.
[F. R. Doc. 47-4738; Filed, May 20, 1947;
8:50 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter VII—Sugar Rationing Administration, Department of Agriculture¹

[Rev. Gen. RO 18,² Amdt. 5]

PART 705—ADMINISTRATION

DISTRIBUTION OF BASES TO CERTAIN FORMER MEMBERS OF THE ARMED FORCES

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.

Revised General Ration Order 18 issued by the Office of Price Administration and amended by the Office of Temporary Controls under § 1305.217 of Title 32, Chapter XI is designated Revised General Ration Order 18, issued under § 705.4, Title 32, Chapter VII pursuant to the authority vested in the Secretary of Agriculture by the "Sugar Control Extension

¹ Formerly Chapter XI, Office of Temporary Controls, Office of Price Administration.

² 11 F. R. 7580-10215.

Act of 1947" and is amended in the following respect:

1. Section 4.2 is amended to read as follows:

SEC. 4.2 *Moving of establishment.* (a) A person who is granted a base or an adjustment in base under this order may apply in writing to the Sugar Branch Office which granted the base for permission to move his establishment. The applicant must state the city and the state (also street address, if possible) to which he wishes to move his establishment.

(b) The Sugar Branch Office which originally granted the base shall contact the Sugar Branch Office in the area into which the veteran desires to move his establishment in order that a comparable establishment in that area may be selected.

(1) If the base of the comparable establishment in the new area is the same as or greater than the veteran's base, permission to move into the new area may be granted. However, the veteran's base shall not be increased to that of the comparable establishment in the new area, nor to the maximum base established under the order if the veteran does not have the maximum base.

(2) If the base of the comparable establishment in the new area is less than the veteran's base, unless the veteran is willing to have his base reduced to that of such comparable establishment, permission to move the veteran's establishment into the new area shall be denied.

(c) The provisions of section 18.1 of Third Revised Ration Order 3 and section 12.6 of Revised General Ration Order 5 apply only to a base granted under those orders, and are not applicable to a base or an adjustment in base granted under this order.

2. Section 8.1 (e) is amended to read as follows:

(e) "District Office" means a Branch Office of the Sugar Rationing Administration, Department of Agriculture.

3. Section 8.1 is amended by adding a new paragraph (f) to read as follows:

(f) "Sugar Branch Office" means a Branch Office of the Sugar Rationing Administration, Department of Agriculture.

This amendment shall become effective May 20, 1947.

NOTE.—The reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Report Act of 1942.

Issued this 15th day of May 1947.

CLINTON P. ANDERSON,
Secretary of Agriculture.

Rationale Accompanying Amendment No. 5 to Revised General Ration Order 18

Present regulations. The present regulations permit a veteran who has been granted a base or an adjustment in base to apply to the Branch Office for permission to move his establishment.

Proposed amendment. This amendment provides that a veteran who has

been granted a base or an adjustment in base may apply in writing to the Sugar Branch Office for permission to move his establishment. The amendment also sets forth certain criteria which the Sugar Branch Office should follow in determining whether or not a veteran should be permitted to move his establishment.

This amendment defines District Office and Sugar Branch Office to mean a Branch Office of the Sugar Rationing Administration, Department of Agriculture.

Reasons for amendment. While it is generally desirable to permit a veteran to move his establishment should he wish to do so, fair dealing and administrative necessity require that certain uniform standards be employed to determine under what conditions permission to move an establishment will be granted or denied. Thus, in the case of the veteran who desires to move his establishment to an area where a comparable establishment has a higher base, permission to move will be granted but the veteran's base will not be increased to that of the comparable establishment. Nor will it be increased to the maximum permitted under the order if the veteran did not obtain the maximum for his establishment prior to moving his establishment. It is not administratively feasible to permit the constant changing of bases which would result if such upward adjustments were permitted. Furthermore, since the veteran could ascertain beforehand the amount of base or adjustment in base he would be granted for any area in which he might desire to open his establishment, he is not being treated unfairly when required to retain the base or adjusted base he obtained for an establishment in the area of his choice even though it is less than that of a comparable establishment in a new area, or less than the maximum permitted under the order.

Fair dealing requires that a veteran who has obtained a base or adjusted base for his establishment in the area of his choice and then desires to move his establishment to an area where the base of a comparable establishment is lower, not be permitted to move unless he is willing to have his base reduced to that of the comparable establishment. Otherwise, a veteran could open an establishment in an area where he could obtain a larger base than that of a comparable establishment in the area in which he actually intended to operate his establishment after obtaining such larger base. If he were then permitted to move to this area where the comparable establishment had a lower base and retain his higher base, he would gain an undeserved business advantage over the comparable establishment and the purpose of the comparable establishment test would be defeated.

This amendment also makes it clear that the moving provisions of Third Revised Ration Order 3 and Revised General Ration Order 5 do not apply to the moving of veterans' establishments.

Since former District Offices and Sugar Branch Offices of the Office of Price Administration are now designated as Branch Offices of the Sugar Rationing Administration, Department of Agriculture,

ture, this amendment redefines District Office and Sugar Branch Office to conform with the changed designation of these offices.

[F. R. Doc. 47-4811; Filed, May 20, 1947; 11:55 a. m.]

TITLE 34—NAVY

Chapter I—Department of the Navy

PART 26—ORGANIZATION AND FUNCTIONS OF THE NAVAL ESTABLISHMENT

NAVAL COMMUNICATIONS SERVICE

Amend § 26.14 (g) of the organization and functions of the Naval Establishment (11 F. R. 177A-159) as follows:

§ 26.14 *Staff of the Chief of Naval Operations.* * * *

(g) The Naval Communications Service is an activity established under the cognizance of the Chief of Naval Operations and is administered by an officer of the Navy detailed to duty as the Chief of Naval Communications. The Chief of Naval Communications plans and supervises all elements of the Naval Communications Service both ashore and afloat; prepares communication operational and logistic plans; develops and prepares all Navy and certain Joint Army and Navy cryptographic aids, Communication Instructions and Call Sign Books; operates the Registered Publications System which distributes all Navy registered and non-registered publications; procures, assigns and protects radio frequencies for naval electronic equipment; supervises naval postal affairs; administers the accounting and disbursing of radio, wire and cable tolls; operates the Navy Department message center; determines the military characteristics, requirements and allowances of naval communication equipment for ships and shore stations; maintains liaison with other activities of the Navy on matters of research, development and procurement of communication equipment; maintains active contact with other branches of the military services, with civil agencies of the United States and with representatives of foreign nations in matters involving communication methods, procedures, and operational techniques; plans for and participates in International Telecommunications Conferences where Navy interests are involved.

(Secs. 3, 12, Pub. Law 404, 79th Cong., 60 Stat. 238, 244)

JAMES FORRESTAL,
Secretary of the Navy.

[F. R. Doc. 47-4717; Filed, May 20, 1947; 8:53 a. m.]

TITLE 36—PARKS AND FORESTS

Chapter I—National Park Service, Department of the Interior

PART 01—ORGANIZATION AND PROCEDURE

DELEGATION OF AUTHORITY

CROSS REFERENCE: For an addition to the list of delegations of authority contained in §§ 01.50 to 01.54, inclusive, see

Title 43, Part 4, *infra*, authorizing the Director of the National Park Service to approve schedules of rates at which accommodations, goods and services are furnished or sold by concessioners in areas under National Park Service supervision.

PART 20—SPECIAL REGULATIONS

FISHING IN GREAT SMOKY MOUNTAINS NATIONAL PARK

Section 20.14 *Great Smoky Mountains National Park*, paragraphs (a), (b), (c), (d), and (e) are amended to read as follows:

§ 20.14. *Great Smoky Mountains National Park*—(a) *Fishing; open and closed waters.* The following park streams in the States of North Carolina and Tennessee are open to fishing. All other streams are closed.

(1) North Carolina Division:

Big Creek and all its tributaries except Chestnut Branch.

Cataloochee Creek, main stream to Palmer Creek. Palmer Creek and all tributaries. Little Cataloochee Creek and all tributaries.

Oconaluftee River, main stream from Cherokee Indian Reservation to Bradley Fork; main stream and all tributaries above Bradley Fork. Bradley Fork and all its tributaries. Straight Fork to Balsam Corner Creek. Raven Fork from mouth to Indian Boundary and from Indian Boundary to Three Forks.

Deep Creek open to the forks and all waters of the Right Fork Indian Creek.

Noland Creek, entire stream.

Forney Creek and all tributary waters except Bear Creek and Jonas Creek.

Hazel Creek to Proctor Creek. Proctor Creek to Boomer Branch.

Eagle Creek to Tubmill Creek.

(2) Tennessee Division:

Cosby Creek, main stream to head. Rock Creek to head. Greenbrier Creek to head.

In Greenbrier Cove, Middle Prong Little Pigeon River and tributaries below Porters Creek. Porters Creek and all its tributaries to head.

Roaring Fork.

LeConte Creek.

West Prong of Little Pigeon River and all tributaries.

Little River including East Prong, Middle Prong, West Prong and all tributaries.

In Cades Cove, all streams except Anthony Creek above the camp ground.

Abrams Creek from its mouth to Kingfisher Creek.

Panther Creek and its tributaries.

Parsons Branch and all its tributaries.

(b) *Fishing; open season.* Fishing is permitted from sunrise to sunset from May 16 to August 31, inclusive.

(c) *Fishing; restrictions as to use of bait.* Fishing is permitted in all open waters with any artificial flies or lures with one hook. Two or more artificial flies may be attached to the leader if desired. Bait fishing is permitted with the exception of minnows or other bait fish, either dead or alive, in all open waters of the park, except the following:

Little River from Sinks to Elkmont.

West Prong of the Little Pigeon River.

LeConte Creek.

Roaring Fork.
Crosby Creek.
Bradley Fork.
Oconaluftee River from Ravensford to Kephart Prong.

The digging of bait or the gathering of salamanders (spring lizards) within the park is prohibited.

(d) *Fishing; size limits.* Trout under 7 inches in length and black bass under 10 inches in length shall not be retained unless seriously injured in catching. There is no size limit on other species.

(e) *Fishing; limit of catch and in possession.* The maximum catch in any one day, and the maximum number of fish in possession shall be 10 fish of any or all species, except that the maximum catch in any one day and the maximum number of fish in possession of black bass shall be 8. There is no creel limit on carp.

(Sec. 3, 39 Stat. 535; 16 U. S. C. 3)

Issued this 13th day of May 1947.

WARNER W. GARDNER,
Assistant Secretary of the Interior.

[F. R. Doc. 47-4741; Filed, May 20, 1947;
8:51 a. m.]

TITLE 42—PUBLIC HEALTH

Chapter I—Public Health Service, Federal Security Agency

PART 11—FOREIGN QUARANTINE

APPLICATION TO CIVIL AIR NAVIGATION OF LAWS AND REGULATIONS RELATING TO CUSTOMS, PUBLIC HEALTH, ENTRY AND CLEARANCE, AND IMMIGRATION

CROSS REFERENCE: For a correction to the regulation amending § 11.504 (c), see Title 19, Chapter I, Part 6, *supra*.

TITLE 43—PUBLIC LANDS: INTERIOR

Subtitle A—Office of the Secretary of the Interior

[Order 2318]

PART 4—DELEGATIONS OF AUTHORITY

DELEGATION TO DIRECTOR, NATIONAL PARK SERVICE

Section 4.662 is added to Subpart I of 43 CFR, Part 4, as follows, and the fol-

lowing memoranda of the Director of the National Park Service are hereby revoked:

Date of memorandum	Approved by—	Date of approval
May 5, 1942	First Assistant Secretary	June 5, 1942
Apr. 16, 1942	do.	Apr. 16, 1942
Nov. 6, 1940	Acting Secretary	Nov. 9, 1940

§ 4.662 *Concessioners' rates.* The Director of the National Park Service is authorized to approve all schedules of rates at which accommodations, goods and services are furnished or sold by concessioners (including permittees and other contractors) in areas under the supervision of the National Park Service, except as otherwise directed by the Secretary of the Interior.

(R. S. 161, secs. 1, 3, 39 Stat. 535; 5 U. S. C. 22, 16 U. S. C. 1-3)

Issued this 8th day of May 1947.

[SEAL] C. GIRARD DAVIDSON,
Assistant Secretary of the Interior.

[F. R. Doc. 47-4742; Filed, May 20, 1947;
8:45 a. m.]

NOTICES

DEPARTMENT OF JUSTICE

Office of Alien Property

AUTHORITY: 40 Stat. 411, 55 Stat. 839, Pub. Laws 322, 671, 79th Cong., 60 Stat. 50, 925; 50 U. S. C. and Supp. App. 1, 616; E. O. 9193, July 6, 1942, 3 CFR, Cum. Supp., E. O. 9567, June 8, 1945, 3 CFR, 1945 Supp., E. O. 9788, Oct. 14, 1946, 11 F. R. 11981.

[Vesting Order 8810]

GEORGE SCHOELL

In re: Estate of George Schoell, deceased. D-28-3582; E. T. sec. 5789.

Under the authority of the Trading with the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Christof Schoell, Bernhard Schoell, Dorothea Huober, Anna Huober Straub, Johann G. Huober, Angelika Huober Frank, Andreas Huober, Maria Huober, Johann G. Schoell also known as Georg Schoell, Caecilie Schoell Shall, Heinrich Schoell and Alfred Walter Schoell, whose last known address is Germany, are residents of Germany and nationals of a designated enemy country (Germany);

2. That all right, title, interest and claim of any kind or character whatsoever of the persons named in subparagraph 1 hereof, and each of them, in and to the estate of George Schoell, deceased, is property payable or deliverable to, or claimed by, the aforesaid nationals of a designated enemy country (Germany);

3. That such property is in the process of administration by the Treasurer of Cook County, Illinois, as depository, acting under the judicial supervision of the Probate Court of Cook County, Illinois; and it is hereby determined:

4. That to the extent that the persons named in subparagraph 1 hereof are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on April 25, 1947.

For the Attorney General.

[SEAL] DONALD C. COOK,
Director.

[F. R. Doc. 47-4744; Filed, May 20, 1947;
8:53 a. m.]

[Vesting Order 8874]

ELIZABETH HEINECKE

In re: Estate of Elizabeth Heinecke, deceased. File No. D-28-9845; E. T. sec. 13886.

Under the authority of the Trading with the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Kasimer Smyk and Agnes Schonau, whose last known address is Germany, are residents of Germany and nationals of a designated enemy country (Germany);

2. That the children, names unknown of Kasimer Smyk, and the children, names unknown of Agnes Schonau, who there is reasonable cause to believe are residents of Germany, are nationals of a designated enemy country (Germany);

3. That the sum of \$1,500.00 was paid to the Alien Property Custodian by John R. Heery, Executor of the estate of Elizabeth Heinecke, deceased;

4. That the said sum of \$1,500.00 is presently in the possession of the Attorney General of the United States and was property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which was evidence of ownership or control by, the aforesaid nationals of a designated enemy country (Germany);

and it is hereby determined:

5. That to the extent that the above named persons and the children, names unknown of Kasimer Smyk, and the children, names unknown of Agnes Schonau, are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise

dealt with in the interest of and for the benefit of the United States.

This vesting order is issued nunc pro tunc to confirm the vesting of the said property in the Alien Property Custodian by acceptance thereof on September 5, 1946, pursuant to the Trading with the Enemy Act, as amended.

The terms "national" and "designated enemy country" as used herein, shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on May 5, 1947.

For the Attorney General.

[SEAL] DONALD C. COOK,
Director.

[F. R. Doc. 47-4745; Filed, May 20, 1947;
8:53 a. m.]

[Vesting Order 8875]

CHARLOTTA B. HESS

In re: Estate of Charlotta B. Hess, deceased. File D-6-1257; E. T. sec. 14527.

Under the authority of the Trading with the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Fred Hess, whose last known address is Germany, is a resident of Germany and a national of a designated enemy country (Germany);

2. That the sum of \$2,000.00 was paid to the Attorney General of the United States by Arthur Rosenthal, Administrator C. T. A. of the Estate of Charlotta B. Hess, deceased;

3. That the said sum of \$2,000.00 is presently in the possession of the Attorney General of the United States and was property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which was evidence of ownership or control by, the aforesaid national of a designated enemy country (Germany);

and it is hereby determined:

4. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

This vesting order is issued nunc pro tunc to confirm the vesting of the said property in the Attorney General of the United States by acceptance thereof on December 23, 1946, pursuant to the Trading with the Enemy Act, as amended.

The terms "national" and "designated enemy country" as used herein shall have

No. 100—2

the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on May 5, 1947.

For the Attorney General.

[SEAL] DONALD C. COOK,
Director.

[F. R. Doc. 47-4746; Filed, May 20, 1947;
8:55 a. m.]

[Vesting Order 8880]

EMIL C. MEGGERS

In re: Estate of Emil C. Meggers, deceased. File D-28-3438; E. T. sec. 5468.

Under the authority of the Trading with the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Louisa Harrsen (Harsen) and Emma Wiebers Henning, whose last known address is Germany, are residents of Germany and nationals of a designated enemy country (Germany);

2. That the sum of \$96.66 deposited on January 29, 1943 with the Treasurer of Cook County, Illinois, as Depository, to the credit of Louisa Harrsen (Harsen) and Emma Wiebers Henning pursuant to an order of the Probate Court of Cook County, Illinois, entered on January 26, 1943 in the matter of the Estate of Emil C. Meggers, deceased, is property payable or deliverable to, or claimed by, the aforesaid nationals of a designated enemy country (Germany);

3. That such property is in the process of administration by the Treasurer of Cook County, Illinois, as depository, acting under the judicial supervision of the Probate Court of Cook County, Illinois; and it is hereby determined:

4. That to the extent that the persons named in subparagraph 1 hereof are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on May 5, 1947.

For the Attorney General.

[SEAL] DONALD C. COOK,
Director.

[F. R. Doc. 47-4747; Filed, May 20, 1947;
8:55 a. m.]

[Vesting Order 8882]

PAUL AND EMMA RICHTER

In re: Estates of Paul Richter, deceased, and Emma Richter, deceased. File F-28-13348; E. T. sec. 4552.

Under the authority of the Trading with the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Paul Richter, whose last known address is Germany, is a resident of Germany and a national of a designated enemy country (Germany);

2. That all right, title, interest and claim of any kind or character whatsoever of the person named in subparagraph 1 hereof in and to the estates of Paul Richter, deceased, and Emma Richter, deceased, is property payable or deliverable to, or claimed by the aforesaid national of a designated enemy country (Germany);

3. That such property is in process of administration by the Shoshone National Bank of Cody, Cody, Wyoming, Trustee, acting under the judicial supervision of the District Court of Park County, Wyoming;

4. That real property particularly described as Lots 15 and 16, Block 13, original town of Cody, Wyoming, together with all hereditaments, fixtures, improvements and appurtenances thereto, and any and all claims for rents, refunds, benefits or other payments arising from the ownership of such property, subject to recorded liens, encumbrances and other rights of record held by or for persons who are not nationals of designated enemy countries, is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country (Germany);

and it is hereby determined:

5. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold, or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on May 5, 1947.

For the Attorney General.

[SEAL] DONALD C. COOK,
Director.

[F. R. Doc. 47-4748; Filed, May 20, 1947;
8:55 a. m.]

[Vesting Order 8883]

JOSEPH F. SARTORI

In re: Trust u/w of Joseph F. Sartori, deceased. File D-28-11438; E. T. sec. 15678.

Under the authority of the Trading with the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Joseph Wangler, Oira Obert and Rosina Griesbaum, whose last known address is Germany, are residents of Germany and nationals of a designated enemy country (Germany);

2. That all right, title, interest and claim of any kind or character whatsoever of the persons named in subparagraph 1 hereof in and to the trust created under the will of Joseph F. Sartori, deceased, is property payable or deliverable to, or claimed by, the aforesaid nationals of a designated enemy country (Germany);

3. That such property is in the process of administration by Security-First National Bank of Los Angeles, as trustee, acting under the judicial supervision of the Superior Court of the State of California, in and for the County of Los Angeles;

and it is hereby determined:

4. That to the extent that the persons named in subparagraph 1 hereof are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on May 5, 1947.

For the Attorney General.

[SEAL]

DONALD C. COOK,
Director.

[F. R. Doc. 47-4749; Filed, May 20, 1947; 8:55 a. m.]

[Vesting Order 8884]

FRIEDRICH SCHAEZLIN

In re: Estate of Friedrich Schaezlin, also known as Frederick Schaezlin, deceased. File D-28-7809; E. T. sec. 8537.

Under the authority of the Trading with the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Karoline Schaezlin, Christiana Schaezlin Rehm, Paul Schaezlin, Richard Schaezlin, Wilhelm Schaezlin, Fritz Schaezlin, Wilhelmine Wornner, Emilie Kamerle, Maria Siman, George Schaezlin, Katharina Renz, Lydia Marta Renz, Karl Wilhelm Renz, Marta Renz, Walter Renz, Emma Renz (married name unknown), Gottlieb Renz, Paul Renz, Frieda Renz, Marie Mader, Marta Mader, Vane Mader, Christian Mader, Marie Sautter, Christine Sautter Wille, and Friedricke Ziegelmuller, whose last known address is Germany, are residents of Germany and nationals of a designated enemy country (Germany);

2. That all right, title, interest and claim of any kind or character whatsoever of the persons named in subparagraph 1 hereof in and to the estate of Friedrich Schaezlin, also known as Frederick Schaezlin, deceased, is property payable or deliverable to, or claimed by, the aforesaid nationals of a designated enemy country (Germany);

3. That such property is in the process of administration by Emanuel F. Kostenbader and Arden W. Wisman, as executors, acting under the judicial supervision of the Probate Court of Crawford County, Ohio;

and it is hereby determined:

4. That to the extent that the persons named in subparagraph 1 hereof are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Registered owner	Certificate No.	Number of shares	File No.
Mrs. Bertha Breuninger.....	NYL-77984.....	10	F-28-23548-D-1.
Carl C. Bruggmann.....	NYL-82518.....	12	F-28-23549-D-1.

together with all declared and unpaid dividends thereon, is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by Mrs. Bertha Breuninger and Carl C. Bruggmann, the aforesaid nationals of a designated enemy country (Germany);

4. That the property described as follows: One thousand twenty-four (1024) shares of \$15 par value capital stock of Socony-Vacuum Oil Company, Incorporated, 26 Broadway, New York, New York, a corporation organized under the laws of the State of New York, evidenced by the certificates whose numbers are set forth in Exhibit A, registered in the names of and owned by the persons listed in Exhibit A in the amounts appearing opposite the names therein, together with all declared and unpaid dividends thereon,

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on May 5, 1947.

For the Attorney General.

[SEAL]

DONALD C. COOK,
Director.

[F. R. Doc. 47-4750; Filed, May 20, 1947; 8:55 a. m.]

[Vesting Order 8916]

MRS. BERTHA BREUNINGER ET AL.

In re: Stock owned by Mrs. Bertha Breuninger and others.

Under the authority of the Trading with the Enemy Act as amended, and Executive Order 9193 as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Mrs. Bertha Breuninger, whose last known address is Kirchberg Jaxt, Wurtemberg, Germany, and Carl C. Bruggmann, whose last known address is c/o Mrs. Kathman, Hellkamp 77, Hamburg, Germany, are residents of Germany and nationals of a designated enemy country (Germany).

2. That each person whose name and last known address is listed in Exhibit A, attached hereto and by reference made a part hereof, is a resident of Japan and a national of a designated enemy country (Japan);

3. That the property described as follows: Twenty-two (22) shares of \$15 par value capital stock of Socony-Vacuum Oil Company, Incorporated, 26 Broadway, New York, New York, a corporation organized under the laws of the State of New York, evidenced by the certificates listed below, registered in the names of and owned by the persons listed below in the amounts appearing opposite said names as follows:

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by the persons named in Exhibit A, the aforesaid nationals of a designated enemy country (Japan);

and it is hereby determined:

5. That to the extent that the persons named in subparagraph 1 hereof are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany);

6. That to the extent the persons referred to in subparagraph 2 hereof are not within a designated enemy country, the national interest of the United States requires that such persons be treated as

nationals of a designated enemy country (Japan).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or other-

wise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on May 7, 1947.

For the Attorney General.

[SEAL]

DONALD C. COOK,
Director.

EXHIBIT A

Name of owner	Last known address	Certificate No.	Number of shares	File No.
Tadaichi Kamiya	c/o Standard-Vacuum Oil Co., Kobe, Japan	NYL-92204	30	F-39-4723-D-1.
John A. Muller	No. 4, Mino-Oka-Dori, 1 Chome, Nada-Ku, Kobe, Japan	NYL-96651	59	F-39-546-D-1.
		SFA-3707	100	
		SFL-4203	50	
		SFL-4202	79	
		NYL-123950	50	
		NYA-144238	100	
Sadata Watanabe	c/o Standard-Vacuum Oil Co., No. 8, Yamashita-Cho, Naka-Ku, Yokohama, Japan	NYL-84571	32	F-39-714-D-1.
		NYA-139414	100	
		NYL-120533	17	
Toshio Ishida	c/o Standard Oil Co. of New York, Oyama, Tochigi-Ken, Japan	NYL-91295	47	F-39-4728-D-1.
		NYL-96734	21	
Kazo Iwasaki	c/o Standard Oil Co. of New York, Inc., Kobe, Japan	NYL-96830	11	F-39-4729-D-1.
Sadaichi Kamiya	No. 5 of 29 Aza Juniban, Oishi Nada-Ku, Kobe-Shi, Japan	NYL-142557	25	F-39-4730-D-1.
Yoshitaro Kanaike	c/o Vacuum Oil Co., No. 72 Kyo-Machi, Kobe, Japan	NYL-84572	37	F-39-1063-D-1.
		NYA-129640	100	
		NYL-105601	2	
		NYL-96693	10	F-39-4735-D-1.
Ai Kusayagi	c/o Standard Oil Co. of New York, Inc., Kobe, Japan	NYL-96810	16	F-39-4737-D-1.
Matsutaro Minami	c/o Standard Oil Co. of New York, 8 Bund, Yokohama, Japan	SFL-4219	29	
		NYL-84554	12	F-39-4741-D-1.
Shoichi Noda	c/o Vacuum Oil Co., No. 72 Kyo-Machi, Kobe, Japan	NYL-96745	30	F-39-4742-D-1.
Sataro Oishi	c/o Standard Oil Co. of New York, Inc., Kobe, Japan	NYL-96710	18	F-39-4743-D-1.
Tokujiro Okano	c/o Standard-Vacuum Oil Co., Itozaki, Mihara, Japan	NYL-84590	35	F-39-4744-D-1.
Akira Shibata	c/o Vacuum Oil Co., No. 72 Kyo-Machi, Kobe, Japan	SFL-4227	10	F-39-4751-D-1.
Seiichi Yamanaka	c/o Standard Oil Co. of New York, 8 Bund Yokohama, Japan	NYL-96720	4	

[F. R. Doc. 47-4705; Filed, May 19, 1947; 8:51 a. m.]

CIVIL AERONAUTICS BOARD

[Docket No. 2884]

PACIFIC NORTHERN AIRLINES

NOTICE OF HEARING

In the matter of the compensation for the transportation of mail by aircraft, the facilities used and useful therefor, and the services connected therewith, of A. G. Woodley, L. M. Woodley, and M. E. Diamond, d. b. a. Pacific Northern Airlines, over its Anchorage-Juneau route.

Notice is hereby given, pursuant to the Civil Aeronautics Act of 1938, as amended, that hearing in the above-entitled proceeding is assigned to be held on May 21, 1947, at 10:00 o'clock a. m. (eastern daylight time), in the Foyer of the Auditorium, Commerce Building, 14th Street at Constitution Avenue NW., Washington, D. C., before Examiner Lawrence J. Kusters.

Dated: Washington, D. C., May 16, 1947.

By the Civil Aeronautics Board.

[SEAL]

M. C. MULLIGAN,
Secretary.

[F. R. Doc. 47-4727; Filed, May 20, 1947; 8:59 a. m.]

FEDERAL POWER COMMISSION

[Docket No. DI-176]

EASTERN NEW YORK POWER CORP.

NOTICE OF FINDING OF THE COMMISSION

MAY 16, 1947.

Notice is hereby given that, on May 14, 1947, the Federal Power Commission issued its finding of the Commission entered May 13, 1947, in the above-designated matter.

[SEAL]

LEON M. FUQUAY,
Secretary.

[F. R. Doc. 47-4732; Filed, May 20, 1947; 8:59 a. m.]

[Docket No. G-500]

NORTHERN NATURAL GAS CO.

NOTICE OF FINDINGS AND ORDER ISSUING CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY

MAY 16, 1947.

Notice is hereby given that, on May 15, 1947, the Federal Power Commission issued its findings and order entered May 13, 1947, issuing certificate of public convenience and necessity in the above-designated matter.

[SEAL]

LEON M. FUQUAY,
Secretary.

[F. R. Doc. 47-4731; Filed, May 20, 1947; 8:59 a. m.]

[Docket No. G-797]

EQUITABLE GAS CO.

NOTICE OF APPLICATION

MAY 14, 1947.

Notice is hereby given that on October 16, 1946, Equitable Gas Company (Applicant), a Pennsylvania corporation having its principal office in Pittsburgh, Pennsylvania, filed an application with the Federal Power Commission for a certificate of public convenience and necessity pursuant to section 7 of the Natural Gas Act, as amended, authorizing Applicant to construct and operate the following described facilities subject to the jurisdiction of the Commission:

A connection with meter gates and fittings on its 16-inch gas transmission pipe line for emergency use in the transportation and sale of natural gas to Waynesburg Home Gas Company, Waynesburg, Pennsylvania.

Applicant states in its application that at the present time it is operating one connection with said Waynesburg Home Gas Company which connection is not adequate to transport the gas needed for distribution. Applicant also states that said Waynesburg Company desires said additional connection as an emergency stand-by facility, and in order to prevent the pressure drops in its system which it has experienced on peak winter days. In addition, the Waynesburg Company states that the existing pipeline is normally used as a discharge line to a field compressor station which it uses to pump gas from field gathering lines connected to its own gas wells. The Waynesburg Company anticipates that withdrawals of gas from Applicant through the existing pipe line connection during periods of peak winter demand may make the pressures in the existing line so high as to retard the procurement of gas from its own wells. The said Waynesburg Company would, if authority is granted to the Applicant, construct approximately 3,150 feet of 2-inch pipe line to connect with Applicant's system at a point approximately five miles south of the present emergency connection.

Applicant further states that Waynesburg Home Gas Company is the sole distribution company for the town of Waynesburg, Pennsylvania, containing approximately 1,900 customers; that most of said customers are residential and utilize the gas for home heating; that there are some commercial customers but no industrial users in Waynesburg. Applicant estimates that the amount of gas delivered through the proposed emergency connection to the Waynesburg Company would be approximately the same amount as presently delivered through the existing connection. Applicant states that the Waynesburg Company expects some normal load growth in the next few years.

Applicant states that the total over-all cost of the proposed facility is \$688, and would be financed from available company funds.

¹On October 28, 1946, the Commission granted temporary authorization for a certificate of public convenience and necessity concerning the facilities described herein.

Any interested State commission is requested to notify the Federal Power Commission whether the applicant should be considered under the cooperative provisions of the Commission's rules of practice and procedure, and if so, to advise the Federal Power Commission as to the nature of its interest in the matter and whether it desires a conference, the creation of a board, or a joint or concurrent hearing, together with the reasons for such request.

The application of Equitable Gas Company is on file with the Commission and is open to public inspection. Any person desiring to be heard or to make any protest with reference to the application shall file with the Federal Power Commission, Washington 25, D. C., not later than fifteen days from the date of publication of this notice in the *FEDERAL REGISTER*, a petition to intervene or protest. Such petition or protest shall conform to the requirements of the rules of practice and procedure (effective September 11, 1946), and shall set out clearly and concisely the facts from which the nature of the petitioner's or protestant's alleged right or interest can be determined.

Petitions for intervention shall state fully and completely the grounds of the proposed intervention and the contentions of the petitioner in the proceedings, so as to advise the parties and the Commission as to the specific issues of fact or law to be raised or controverted, by admitting, denying, or otherwise answering specifically and in detail, each material allegation of fact or law asserted in the proceeding.

[SEAL]

LEON M. FUQUAY,
Secretary.

[F. R. Doc. 47-4729; Filed, May 20, 1947;
8:59 a. m.]

[Docket No. G-866]

KANSAS-NEBRASKA NATURAL GAS CO., INC.
NOTICE OF ORDER MODIFYING INITIAL DECISION OF PRESIDING EXAMINER ISSUING CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY

MAY 16, 1947.

Notice is hereby given that, on May 15, 1947, the Federal Power Commission issued its order, entered May 13, 1947, modifying initial decision of presiding examiner issuing certificate of public convenience and necessity, in the above-designated matter.

[SEAL]

LEON M. FUQUAY,
Secretary.

[F. R. Doc. 47-4733; Filed, May 20, 1947;
8:59 a. m.]

[Docket No. G-897]

WEST TEXAS GAS CO.
NOTICE OF APPLICATION

MAY 14, 1947.

Notice is hereby given that on April 30, 1947, West Texas Gas Company (Applicant), a Delaware corporation having its principal office in Lubbock, Texas, and

authorized to do business in Texas, filed an application with the Federal Power Commission for a certificate of public convenience and necessity pursuant to section 7 of the Natural Gas Act, as amended, authorizing Applicant to construct and operate the following described facilities, subject to the jurisdiction of the Commission:

Two 300 BHP Cooper-Bessemer Type GMX-6, gas engine driven compressor units together with necessary buildings, auxiliary equipment and piping located in Section 113, Block M-7, B. S. & F. Survey, Deaf Smith County, near Hereford, Texas.

Applicant states in its application that the proposed facilities are needed in order for Applicant to supply the demands made on its system. Applicant further states that the firm requirements to be delivered out of Applicant's McSpadden-Farwell 8½-inch O. D. transmission line during the 1947-48 heating season are estimated at 11,317 Mcf per 24 hours at 16.4 pounds pressure base, of which 9,400 Mcf daily are the requirements of Southern Union Gas Company, nonaffiliated utility company which distributes gas in Clovis, Portales, Tucumcari, and Texico, New Mexico, as well as in Farwell, Texas. Applicant also states that in order for it to be able to deliver the estimated requirements from this line without exceeding the pressure which it regards as the maximum safe inlet pressure to the line, the proposed intermediate compression is needed. Applicant estimates that the total proposed compressor addition will have a capacity of 12,420 Mcf at 16.4 pounds daily when operating with a suction pressure of 200 pounds gauge and a discharge pressure of 400 pounds gauge.

Applicant states that a purchase contract has been executed with the Cooper-Bessemer Corporation, Mt. Vernon, Ohio, for the delivery of the proposed compressor units and that a contract has been executed with Stearns-Roger Manufacturing Company, Denver, Colorado, for the supply of material for the proposed compressor station. It is proposed to commence construction about July 1, 1947.

Applicant estimates that the total over-all capital cost of the proposed facilities is \$131,432 which will be financed from funds presently available to the Applicant. Applicant states that no change in rates is contemplated by virtue of the proposed construction.

Any interested State commission is requested to notify the Federal Power Commission whether the application should be considered under the cooperative provisions of the Commission's rules of practice and procedure, and if so, to advise the Federal Power Commission as to the nature of its interest in the matter and whether it desires a conference, the creation of a board, or a joint or concurrent hearing, together with the reasons for such request.

The application of West Texas Gas Company is on file with the Commission and is open to public inspection. Any person desiring to be heard or to make any protest with reference to the application shall file with the Federal Power Commission, Washington 25, D. C., not later than fifteen days from the date of publication of this notice in the *FEDERAL*

REGISTER, a petition to intervene or protest. Such petition or protest shall conform to the requirements of the rules of practice and procedure (effective September 11, 1946), and shall set out clearly and concisely the facts from which the nature of the petitioner's or protestant's alleged right or interest can be determined.

Petitions for intervention shall state fully and completely the grounds of the proposed intervention and the contentions of the petitioner in the proceeding, so as to advise the parties and the Commission as to the specific issues of fact or law to be raised or controverted, by admitting, denying, or otherwise answering specifically and in detail, each material allegation of fact or law asserted in the proceeding.

[SEAL]

LEON M. FUQUAY,
Secretary.

[F. R. Doc. 47-4730; Filed, May 20, 1947;
8:59 a. m.]

INTERSTATE COMMERCE COMMISSION

[S. O. 396, Special Permit 188]

RECONSIGNMENT OF ONIONS AT ST. LOUIS, Mo.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph of Service Order No. 396 (10 F. R. 15008), permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 396 insofar as it applies to the reconsignment at St. Louis, Mo., May 14, 1947, by Rosenthal Co., of cars PFE 18810, PFE 44909, PFE 17683, MERX 70292 and URT 81666, onions, now on the St. L.-S. W. RR., to Rosenthal Co., Chicago, Ill. (Ill. Cent.).

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 14th day of May 1947.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 47-4725; Filed, May 20, 1947;
8:58 a. m.]

OFFICE OF HOUSING EXPEDITER

[C-25]

KATHERINE WARNOCK

CONSENT ORDER

Katherine Warnock, 63 Bellingham Street, Chelsea, Massachusetts, is

charged by the Office of the Housing Expediter with having commenced construction of a house located on Portsmouth Avenue, Seabrook Beach, New Hampshire, without authorization from the Civilian Production Administration or the Office of the Housing Expediter and not permitted under any exemption provided for in Veterans' Housing Program Order, nor within the requirements for a permit under HPR dated February 13, 1947, and, therefore, a violation of Veterans' Housing Program Order 1.

Katherine Warnock admits the violation as charged and consents to the issuance of this order.

Wherefore, upon the agreement and consent of Katherine Warnock, the Regional Compliance Director, and the Regional Compliance Attorney, and upon the approval of the Compliance Commissioner, *It is hereby ordered, That:*

(a) Neither Katherine Warnock, her successors and assigns, nor any other person shall do any further construction on the building owned by said Katherine Warnock on Portsmouth Avenue, Seabrook Beach, New Hampshire, without specific authorization in writing from the Office of the Housing Expediter.

(b) Katherine Warnock shall refer to this order in any application or appeal which she may file with the Office of the Housing Expediter or any other Federal agency to do any further construction on this project.

(c) Nothing contained in this order shall be deemed to relieve Katherine Warnock, her successors or assigns, from any restriction, prohibition or provision contained in any other order or regulation of the Office of the Housing Expediter, except insofar as the same may be inconsistent with the provisions hereof.

Issued this 20th day of May 1947.

OFFICE OF THE HOUSING
EXPEDITER,
By JAMES V. SARCONI,
Authorizing Officer.

[F. R. Doc. 47-4801; Filed, May 20, 1947;
11:35 a. m.]

[C-27]

GEORGE MYZAL
CONSENT ORDER

George Myzal is the owner of a bar and grill located on Route 30, 4 miles N/O Mayfield, N. Y. He is charged by the Office of the Housing Expediter with violations of Veterans' Housing Program Order 1 in that (1) on or about November 15, 1946 he began construction, repairs, additions and alterations, without authorization, and at a cost in excess of \$1,000 of a commercial building located on Route 30, 4 miles N/O Mayfield, N. Y.; (2) on and after November 15, 1946 he carried on construction, repairs, additions and alterations, without authorization, and at a cost in excess of \$1,000 of a commercial building located on Route 30, 4 miles N/O Mayfield, N. Y.

George Myzal admits the violations charged and has consented to the issuance of this order.

Wherefore, upon the agreement and consent of George Myzal, the Regional Compliance Director and the Regional Compliance Attorney, and upon the approval of the Compliance Commissioner, *It is hereby ordered, That:*

(a) Neither George Myzal, his successors and assigns, nor any other person shall do any further construction on the premises located on Route 30, 4 miles N/O Mayfield, N. Y., including the putting up, completing or altering of any of the structures located on said premises, unless hereafter specifically authorized in writing by the Office of the Housing Expediter.

(b) George Myzal shall refer to this order in any application or appeal which he may file with the Office of the Housing Expediter for priorities assistance or for authorization to carry on construction.

(c) Nothing contained in this order shall be deemed to relieve George Myzal, his successors and assigns, from any restriction, prohibition or provision contained in any other order or regulation of the Office of the Housing Expediter, except insofar as the same may be inconsistent with the provisions hereof.

Issued this 20th day of May 1947.

OFFICE OF THE HOUSING
EXPEDITER,
By JAMES V. SARCONI,
Authorizing Officer.

[F. R. Doc. 47-4802; Filed, May 20, 1947;
11:35 a. m.]

[C-28]

HUBBARD SHOE CO., INC.
CONSENT ORDER

Hubbard Shoe Co., Inc., is a New Hampshire corporation having its principal office in Rochester, New Hampshire. The corporation is charged by the Office of the Housing Expediter with having constructed part of a contemplated 3-story addition to its factory located in Rochester, New Hampshire, without authorization, which construction was not permitted under any exemption provided for in the Order and therefore constituted a violation of Veterans' Housing Program Order 1.

Hubbard Shoe Co., Inc., admits the violation as charged, but states that the violation was due to a misunderstanding and denies that it was wilful and does not choose to contest the charge.

Therefore, upon the agreement and consent of Hubbard Shoe Co., Inc., the Regional Compliance Director, and the Regional Compliance Attorney, and upon the approval of the Compliance Commissioner, *It is hereby ordered, That:*

(a) Neither Hubbard Shoe Co., Inc., its successors and assigns, nor any other person shall do any further construction on the addition to its factory in Rochester, New Hampshire, including completing, putting up or altering the structure or installing in it any fixtures or mechanical equipment, as defined in Order VHP-1 and Supplement 1 thereto both as amended March 20, 1947, unless hereafter specifically authorized in writing by the Office of the Housing Expediter.

(b) The provisions of paragraph (a) above do not apply to the minimum amount of work required for public safety and to prevent the deterioration of materials already incorporated in the addition as specifically authorized in writing by the Office of the Housing Expediter under authorization Serial No. 1-5-635, dated April 22, 1947.

(c) Hubbard Shoe Co., Inc., shall refer to this order in any application or appeal which it may file with the Office of the Housing Expediter or any other federal agency to do any further construction on this project.

(d) Nothing contained in this order shall be deemed to relieve Hubbard Shoe Co., Inc., its successors and assigns, from any restriction, prohibition or provision contained in any other order or regulation of the Office of the Housing Expediter, except insofar as the same may be inconsistent with the provisions hereof.

Issued this 20th day of May 1947.

OFFICE OF THE HOUSING
EXPEDITER,
By JAMES V. SARCONI,
Authorizing Officer.

[F. R. Doc. 47-4803; Filed, May 20, 1947;
11:35 a. m.]

[C-29]

ERNEST P. FOURNIER AND ARTHUR
MORRISSETTE
CONSENT ORDER

Ernest P. Fournier resides in Pawtucket, Rhode Island, and owns an automobile service station located at the corner of Newport and Pullen Avenues in Pawtucket. Applications to construct an addition, approximately 47' x 92', to this service station were filed by Ernest P. Fournier with the Civilian Production Administration Office at Providence, Rhode Island, on July 2 and again on September 9, 1946. The July application was denied on July 8, 1946, and the September application was denied September 19, 1946. Sometime during the month of October, 1946 construction was begun on this addition at an estimated cost of about \$15,000. Arthur Morrisette of 451 Benefit Street, Pawtucket, Rhode Island, is the contractor on this project. Ernest P. Fournier, as owner, and Arthur Morrisette, as contractor, are charged by the Office of the Housing Expediter with a violation of Veterans' Housing Program Order 1 in that they began the above-described construction, which was not exempt under any of the provisions of VHP-1 without authorization.

Ernest P. Fournier, as owner, and Arthur Morrisette, as contractor, admit the violation as charged and consent to the issuance of this order.

Wherefore, upon the agreement and consent of Ernest P. Fournier and Arthur Morrisette, the Regional Compliance Director, and the Regional Compliance Attorney, and upon the approval of the Compliance Commissioner, *It is hereby ordered, That:*

(a) The temporary suspension orders issued by the Civilian Production Admin-

istration by telegrams dated November 22, 1946, addressed to Ernest P. Fournier, Newport and Pullen Avenues, Pawtucket, Rhode Island, and Arthur Morrisette, 451 Benefit Street, Pawtucket, Rhode Island, are hereby revoked.

(b) Neither Ernest P. Fournier and Arthur Morrisette, their successors or assigns, nor any other person shall do any further construction on the addition to the automobile service station at the corner of Newport and Pullen Avenues, Pawtucket, Rhode Island, unless hereafter specifically authorized in writing by the Office of the Housing Expediter.

(c) Ernest P. Fournier and Arthur Morrisette shall refer to this order in any application or appeal which they may file with the Office of the Housing Expediter for authorization to do any further construction on this project.

(d) Nothing contained in this order shall be deemed to relieve Ernest P. Fournier and Arthur Morrisette, their successors and assigns, from any restriction, prohibition or provision contained in any other order or regulation of the Office of the Housing Expediter, except insofar as the same may be inconsistent with the provisions hereof.

Issued this 20th day of May 1947.

OFFICE OF THE HOUSING
EXPEDITER,
By JAMES V. SARCONI,
Authorizing Officer.

[F. R. Doc. 47-4804; Filed, May 20, 1947;
11:35 a. m.]

[C-33]

Rosco Tool & Mfg. Co.

CONSENT ORDER

Raymond Cole and William Rose, d/b/a Rosco Tool & Manufacturing Co., are partners, operating a tool and die manufacturing business at 63 South Avenue, Garwood 1, New Jersey. Raymond Cole and William Rose are charged by the Office of the Housing Expediter with violations of Veterans' Housing Program Order 1 in that (1) on or about October 7, 1946 they began construction, repairs, additions and alterations, without authorization and at a cost in excess of \$1,000 of a commercial building located at 63 South Avenue, Garwood, New Jersey; (2) on or about October 7, 1946 they carried on construction, repairs, additions and alterations, without authorization and at a cost in excess of \$1,000 of a commercial building located at 63 South Avenue, Garwood, New Jersey.

Raymond Cole and William Rose admit the violations charged and have consented to the issuance of this order.

Wherefore, upon the agreement and consent of Raymond Cole and William Rose, the Regional Compliance Director and the Regional Compliance Attorney, and upon the approval of the Compliance Commissioner, *It is hereby ordered, That:*

(a) Neither Raymond Cole nor William Rose, their successors and assigns, nor any other person shall do any further construction on the premises lo-

cated at 63 South Avenue, Garwood, New Jersey, including the putting up, completing or altering of any of the structures located on said premises, unless hereafter specifically authorized in writing by the Office of the Housing Expediter.

(b) Raymond Cole and William Rose shall refer to this order in any application or appeal which they may file with the Office of the Housing Expediter for priorities assistance or for authorization to carry on construction.

(c) Nothing contained in this order shall be deemed to relieve Raymond Cole and William Rose, their successors and assigns, from any restriction, prohibition or provision contained in any other order or regulation of the Office of the Housing Expediter, except insofar as the same may be inconsistent with the provisions hereof.

Issued this 20th day of May 1947.

OFFICE OF THE HOUSING
EXPEDITER,
By JAMES V. SARCONI,
Authorizing Officer.

[F. R. Doc. 47-4805; Filed, May 20, 1947;
11:35 a. m.]

SECURITIES AND EXCHANGE COMMISSION

[File Nos. 54-75, 70-726]

COMMONWEALTH & SOUTHERN CORP. (DEL.)

NOTICE REGARDING FILING

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pa. on the 14th day of May 1947

Notice is hereby given that an application-declaration has been filed with this Commission pursuant to the Public Utility Holding Company Act of 1935 by The Commonwealth & Southern Corporation ("Commonwealth"), a registered holding company. Applicant designates sections 11 and 12 (c) of the act and Rule U-46 as applicable to the proposed transactions.

Notice is further given that any interested person may, not later than May 27, 1947 at 5:30 p. m., e. d. s. t., request the Commission in writing that a hearing be given on such matter, stating the nature of his interest, the reasons for such request and the issues, if any, of fact or law raised by said application-declaration proposed to be controverted, or may request that he be notified if the Commission should order a hearing thereon. At any time thereafter, such application-declaration, as filed or as amended, may be permitted to become effective or may be granted as provided in Rule U-23 of the rules and regulations promulgated pursuant to said act, or the Commission may exempt such transaction as provided in Rule U-20 (a) and U-100 thereof. Any such request should be addressed: Secretary, Securities and Exchange Commission, 18th and Locust Streets, Philadelphia 3, Pennsylvania.

All interested persons are referred to said application-declaration which is on file in the office of the Commission, for

a statement of the transaction therein proposed which is summarized below:

Commonwealth proposes, subject to the approval of the Commission, to pay a dividend of \$3 per share or an aggregate of \$4,323,741 on the shares of its preferred stock outstanding on April 30, 1947. The dividend was declared on May 13, 1947 and is payable on the 28th day after the date of the order of this Commission permitting such payment of such dividend or on July 1, 1947, whichever date is later, to stockholders of record at the close of business on the 10th day after the date of such order (or if such 10th day is not a business day, the first business day following such 10th day) or on June 10, 1947, whichever date is later. The Commission action requested in the pending application is similar in substance to the Commission action requested in three applications approved by the Commission in 1943, four applications approved in 1944, four applications approved in 1945, four applications approved in 1946, and one approved in 1947, covering proposed distributions to preferred stockholders.

The applicant requests that the Commission's order be issued herein on or before May 29, 1947 and become effective forthwith so that Commonwealth may pay the proposed dividend not later than July 1, 1947.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 47-4721; Filed, May 20, 1947;
8:56 a. m.]

[File No. 70-1471]

CONSOLIDATED ELECTRIC AND GAS CO. ET AL.

ORDER PERMITTING APPLICATIONS AND DECLARATIONS TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 14th day of May A. D. 1947.

In the matter of Consolidated Electric and Gas Company, The Middle West Corporation, Upper Peninsula Power Company, File No. 70-1471.

Consolidated Electric and Gas Company and The Middle West Corporation, both registered holding companies, and their subsidiary company, Upper Peninsula Power Company, having filed applications and declarations and amendments thereto pursuant to sections 6, 7, 9, 10, and 12 and the applicable rules promulgated thereunder regarding the following transactions:

(1) The sale by Consolidated Electric and Gas Company and the purchase by Upper Peninsula Power Company of all of the capital stock of Houghton Electric Light Company and all of the capital stock and funded debt of Iron Range Light and Power Company upon the terms and conditions set forth in an amended agreement between Consolidated Electric and Gas Company and Upper Peninsula Power Company;

(2) The sale by The Middle West Corporation and Copper Range Company, and the purchase by Upper Peninsula

Power Company, of an aggregate of 18,000 shares of \$3 cumulative preferred stock, without nominal or par value, and 34,400 shares of common stock, without nominal or par value, of Copper District Power Company upon the terms and conditions set forth in an amended agreement between The Middle West Corporation, Copper Range Company and Upper Peninsula Power Company:

(3) The purchase by Upper Peninsula Power Company of all or a part, but not less than 4,000 shares, of the outstanding Common Stock of Copper District Power Company held by holders other than The Middle West Corporation and Iron Range Light and Power Company upon the terms and conditions set forth in the form of revised agreement between Upper Peninsula and such holders;

(4) The issuance and sale by Upper Peninsula Power Company through competitive bidding of \$3,500,000 principal amount of first mortgage bonds, ----%, series due 1977;

(5) The authorization of 15,000 shares and the issuance and sale of 10,000 shares of cumulative preferred stock, ----% series, of the par value of \$100 each by Upper Peninsula Power Company;

(6) The payment by Upper Peninsula Power Company to Houghton Electric Light Company of such amount of cash as may be necessary to redeem the first mortgage bonds, 3¾% sinking fund series due 1962, of Houghton Electric Light Company, outstanding in the principal amount of \$1,149,000, at 103% of the principal amount thereof;

(7) The payment by Upper Peninsula Power Company to Copper District Power Company of such amount of cash as may be necessary to redeem the first mortgage bonds, series A, 4½%, due June 1, 1956, of Copper District Power Company, outstanding in the principal amount of \$1,360,000, at 103% of the principal amount thereof;

(8) The dissolution of Houghton Electric Light Company, Iron Range Light and Power Company and Copper District Power Company, and the transfer and conveyance to Upper Peninsula Power Company of all of the assets of such companies and the assumption by Upper Peninsula Power Company of all the liabilities of such companies;

(9) The payment by Upper Peninsula Power Company to Consolidated Electric and Gas Company, The Middle West Corporation, Copper Range Company and such other holders of the common stock of Copper District Power Company as shall sell their shares to Upper Peninsula Power Company, of certain amounts of cash in accordance with the provisions of the amended and revised agreements mentioned above;

(10) The authorization of 250,000 shares and the issuance and sale by Upper Peninsula Power Company to Consolidated Electric and Gas Company, The Middle West Corporation and Copper Range Company, respectively, of 119,940, 33,980 and 34,780 shares of the common stock of Upper Peninsula Power Company, and the issuance and sale by Upper Peninsula Power Company to all other holders of the common stock of Copper District Power Company of two shares of its common stock in respect of each share

of common stock of Copper District Power Company held by such holders;

(11) The application by Consolidated Electric and Gas Company of the cash proceeds of the sale of the securities of Houghton Electric Light Company and Iron Range Light and Power Company to the partial payment of its bank loan notes outstanding under the loan agreement dated as of November 15, 1945, between Consolidated Electric and Gas Company and the several banks therein named and the pledging under said loan agreement of the 120,000 shares of the common stock of Upper Peninsula Power Company to be acquired by Consolidated Electric and Gas Company.

Public hearings on such transactions having been held after appropriate notice, the Commission having considered the record and having made and filed its findings and opinion herein;

It is ordered, That the applications and declarations, as amended, be, and the same hereby are, granted, approved, and permitted to become effective forthwith subject to the terms and conditions prescribed in Rule U-24 and to the following additional terms and conditions:

(1) That the proposed sale of \$3,500,000 first mortgage bonds, due 1977, and 10,000 shares of cumulative preferred stock, \$100 par value, shall not be consummated until the results of competitive bidding have been made a matter of record in this proceeding and a further order shall have been entered by this Commission in the light of the record so completed, which order may contain such further terms and conditions, if any, as shall be deemed appropriate, jurisdiction being reserved for the imposition of such conditions;

(2) That jurisdiction be further reserved over the payment of any fees or expenses of counsel including the proposed fee to counsel for the prospective bidder; and

(3) That this order shall be effective only so long as the order of the Public Service Commission of Michigan, expressly authorizing the proposed sale of bonds, preferred stock, and common stock, is not revoked, terminated or otherwise modified.

It is further ordered, Pursuant to the request of Consolidated Electric and Gas Company, that the ten-day period for inviting bids as provided by Rule U-50 be, and the same hereby is, shortened to a period of not less than six days.

By the Commission.

[SEAL]

ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 47-4719; Filed, May 20, 1947;
8:54 a. m.]

[File Nos. 70-1494, 70-1495]

STANDARD GAS AND ELECTRIC CO. AND CALIFORNIA OREGON POWER CO.

ORDER GRANTING APPLICATIONS, AND PERMITTING DECLARATIONS TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 15th day of May 1947.

Standard Gas and Electric Company ("Standard Gas"), a registered holding company, and its subsidiary, The California Oregon Power Company ("Copco"), a public utility company, having on May 2, 1947 filed separate amendments to their declarations and applications herein pursuant to sections 9 and 10 of the Public Utility Holding Company Act of 1935 ("act") and Rule U-42 promulgated thereunder with respect to the following transactions (which transactions are in addition to the proposed transactions herein with respect to which applications, as amended, have been granted and declarations, as amended, have previously been permitted to become effective pursuant to order dated May 8, 1947, published in Holding Company Act Release No. 7390):

Standard Gas proposes, prior to the proposed issue and sale by Copco of 60,000 shares of its ----% Cumulative Preferred Stock and 18,000 shares of its Common Stock, par value \$20 per share, to acquire in the open market certain shares of the Six Per Cent Preferred Stock, Series of 1927, of Copco, equal in number, as nearly as practicable, to 3,000 shares, and to donate to Copco the shares so acquired as a capital contribution in the amount of \$300,000 (assuming 3,000 shares are so acquired by Standard Gas) against which \$13,700 discount and expense applicable to such donated shares will be charged immediately by Copco.

Copco proposes to charge to the capital surplus (amounting to approximately \$286,300) created by this donation a portion of the total of (a) the amount of capital stock discount and expense relating to its Six Per Cent Preferred Stock, Series of 1927, proposed to be redeemed, (b) the redemption premium on such stock, and (c) the expenses of the redemption of such stock. Copco proposes to charge to earned surplus the balance of approximately \$329,592 of these items together with duplicate dividends of \$42,761 to be incurred in connection with the redemption of its Six Per Cent Preferred Stock, Series of 1927.

The Public Utilities Commission of the State of California and the Public Utilities Commissioner of Oregon have expressly authorized Copco to consummate its portion of these proposed transactions.

Said amendments to the applications and declarations herein having been filed on May 2, 1947, and further amendments to said applications and declarations having been filed on May 9, 1947, and notice of said amendments filed May 2, 1947 having been duly given in the form and manner prescribed in Rule U-23 promulgated pursuant to said act and the Commission not having received a request for a hearing with respect to said amendments filed May 2, 1947, within the period specified in said notice, or otherwise, and not having ordered a hearing thereon; and

The Commission finding with respect to the applications and declarations herein and said amendments thereto filed May 2, 1947, as amended on May 9, 1947, that the requirements of the applicable provisions of the act and the rules thereunder are satisfied and that no adverse findings thereunder are nec-

essary, and deeming it appropriate in the public interest and in the interest of investors and consumers that the applications and declarations herein, as amended, in so far as they relate to the transactions hereinabove summarized, be granted and permitted to become effective; and

The applicants-declarants having requested that the Commission's order with respect to said applications and declarations and amendments thereto become effective at an early date so that they may proceed with the proposed sale of securities and the Commission deeming it appropriate to grant such request:

It is hereby ordered, Pursuant to Rule U-23 and the applicable provisions of said act, and subject to the terms and conditions prescribed in Rule U-24, that the said applications and declarations and amendments thereto in so far as they relate to the transactions hereinabove summarized be, and the same are, granted and permitted to become effective forthwith.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 47-4718; Filed, May 20, 1947;
8:54 a. m.]

[File No. 70-1515]

EASTERN KANSAS UTILITIES, INC., AND CONTINENTAL GAS & ELECTRIC CORP.

NOTICE OF FILING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 13th day of May 1947.

Notice is hereby given that a joint application-declaration has been filed with this Commission pursuant to the Public Utility Holding Company Act of 1935 by Continental Gas & Electric Corporation ("Continental"), a registered holding company, and its public utility subsidiary Eastern Kansas Utilities, Inc. ("Eastern"). Applicants-declarants have designated as applicable sections 6 (b), 9, 10 and 12 (f) of the act together with Rules U-43, U-50 (a) (3) and U-50 (a) (4) promulgated thereunder.

Notice is further given that any interested person may, not later than May 23, 1947, at 5:30 p. m., e. d. s. t., request the Commission in writing that a hearing be held on such matter stating the nature of his interest, the reason for such request and the issue of fact or law raised by said joint application-declaration which he desires to controvert or may request that he be notified if the Commission should order a hearing thereon; that such request should be addressed: Securities and Exchange Commission, 18th & Locust Streets, Philadelphia 3, Pa.;

and that at any time after May 26, 1947 said joint application-declaration as filed or is amended may be granted and permitted to become effective as provided in Rule U-23 of the rules and regulations promulgated under the act or the Commission may exempt such transactions as provided in Rule U-20 (a) and U-100 thereof.

All interested persons are referred to said joint application-declaration which is on file in the offices of this Commission for a statement of the transactions therein proposed which are summarized as follows:

Eastern proposes to issue and sell to The Northwestern Mutual Life Insurance Company an additional \$600,000 principal amount of First Mortgage Bonds at par value. The bonds will be dated March 1, 1947, will mature September 1, 1967, will bear interest at the rate of 2 7/8% per annum and will be issued under the existing Indenture and a Supplemental Indenture to be dated March 1, 1947. The Supplemental Indenture will provide for a cash sinking fund of 1% per annum commencing March 1, 1949. Eastern also proposes to issue and sell to Continental, its sole stockholder, and Continental proposes to purchase from Eastern for cash an additional 1500 shares of Eastern's \$100 par value common stock at the par value thereof.

The application-declaration states that the proceeds from the sale of such bonds and common shares will be used to finance the construction of additional electric facilities needed in the operation of Eastern's business, and that of the proceeds from the sale of the bonds, approximately \$300,000 will be withdrawn on the basis of unbonded net property additions at the date of the sale of the bonds and the remainder will be deposited with the Trustee under the existing Indenture to be withdrawn as provided for in such Indenture.

It is stated that Eastern is organized and doing business in the State of Kansas and that the proposed issue and sale of securities is subject to the approval of the State Corporation Commission of Kansas and that when such approval is obtained a copy thereof will be filed by amendment to the application-declaration.

Applicants-declarants request that the Commission's Order with respect to the transactions proposed herein become effective immediately upon issuance thereof and, in any event, not later than May 26, 1947.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 47-4722; Filed, May 20, 1947;
8:56 a. m.]

[File No. 70-1518]

SOUTH CAROLINA POWER CO. AND COMMONWEALTH & SOUTHERN CORP.

ORDER GRANTING APPLICATION AND PERMITTING DECLARATION TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pa. on the 15th day of May 1947.

The Commonwealth & Southern Corporation ("Commonwealth"), a registered holding company, and its public utility subsidiary, South Carolina Power Company ("South Carolina"), having filed a joint application-declaration pursuant to sections 9 (a), 10 and 12 (f) of the Public Utility Holding Company Act of 1935 and Rule U-43 promulgated thereunder regarding the following proposed transactions:

Commonwealth, which is the owner of all of the presently outstanding common stock of South Carolina consisting of 600,000 shares without par value, proposes to purchase from South Carolina an additional 200,000 shares of its common stock at a price of \$12 per share in the event that South Carolina does not receive a bid at competitive bidding pursuant to Rule U-50 of said price or better.

The application-declaration having been filed on the 2d day of May, 1947, and notice of said filing, having been duly given in the form and manner prescribed by Rule U-23 promulgated pursuant to said act and the Commission not having received a request for a hearing with respect to said application-declaration within the period specified in said notice or otherwise and not having ordered a hearing thereon; and

The Commission finding with respect to said application-declaration that the requirements of the applicable provisions of the act and the rules thereunder are satisfied and deeming it appropriate in the public interest and in the interest of investors and consumers that the said application-declaration be granted and permitted to become effective, and deeming it appropriate to grant a request of the applicants-declarants that the order become effective at the earliest date possible:

It is hereby ordered, Pursuant to Rule U-23 and the applicable provisions of said act and subject to the terms and conditions prescribed in Rule U-24 that the said application-declaration be, and the same hereby is, granted and permitted to become effective forthwith.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 47-4720; Filed, May 20, 1947;
8:56 a. m.]